

FINAL DETERMINATION

East Kentucky Power Cooperative, Inc. has applied to the Kentucky Division for Air Quality for a Title V permit to operate an electric power generating plant located at 1301 West Second Street, Maysville, Kentucky. This plant is a Title V source since the potential emissions of criteria pollutants exceed the major source threshold.

A preliminary determination was made to approve the permit and a public notice was placed in The Ledger-Independent on December 29, 1997. The comment period has expired and comments were received from the source and the Utility Information Exchange of Kentucky (UIEK). Responses to comments and permit changes associated with those comments are listed in Attachment D. Additionally, minor revisions have been made to the language of the general conditions for clarity purposes only.

In conclusion, a thorough analysis has been made of all relevant information available which pertains to this application. The division has concluded that the source will comply with all applicable air quality regulations and requirements. Compliance with the terms of the permit will ensure compliance with all air quality requirements. Therefore, it is recommended that the permit be issued as conditioned.

**Response to East Kentucky Power's Comments
(3/13/98 Letter)**

Comment (1): All the permit conditions that represent CAM should be removed from the permit. CAM functions are not to be applied to these permits as is identified in the CAM regulations.

Response to (1): The Division agrees with the comment that the source is not subject to Compliance Assurance Monitoring (CAM) procedures since the application for the facility was deemed administratively complete by the Division prior to promulgation of CAM procedures and the permittee is not required to implement the CAM procedures until the permit undergoes revision or renewal. However, the Division finds this comment on CAM applicability for this source irrelevant since the permit does not include any requirements developed based on CAM rule. The Division is not implementing CAM but is implementing periodic monitoring required by existing regulations.

Comment (2): All particulate testing should be on a once per permit basis. Any additional testing should be based on a need be basis:

Response to (2): EKP did not give a proposed plan that would satisfy the periodic monitoring requirements to assure compliance with the particulate emission standard; therefore, the permitting authority, the Division, must impose necessary periodic monitoring requirements pursuant to Regulation 401 KAR 50:035, Section 7(1)(c), Section 504 of the Clean Air Act, and 57 FR 32278. The requirements are dependent upon information obtained through stack testing which the Division may require at any time pursuant to Regulation 401 KAR 50:045, Performance tests, Section 1.

Comment (3): All records required by this permit should be defined as those records currently being maintained for operational reasons. During the development of this regulatory package, the Division stated that the permit would not place any new requirements on a facility.

Response to (3): In your comments you did not define what records you are talking about. However, the Division has not imposed any new record keeping requirements except those which are required by the Title V permit requirements.

Comment (4): The use of COM date as an indicator of particulate matter mass emission should be deleted from all the permits. The Division nor EPA has shown any relationship between the two parameters.

Response to (4): The Division believes that compliance with the particulate matter emission standards is best indicated by use of a COM. Since you have not proposed any mutually acceptable alternatives to this method, the COM requirement has not been deleted from this permit.

Comment (Two fly ash silos): These should be deleted from the permit- they were not constructed as planned.

Response to (Two fly ash silos): The Division agrees with your comments, and the two fly ash silos have been deleted from your final permit.

Comment (Source address): The current address for the facility has been changed by the U.S. Postal Service from Route 8 to 1301 West Second Street.

Response to (Source address): Your source address has been changed from Route 8 to 1301 West Second Street on your final permit and all the Division files have been updated.

Comment (Maximum continuous rating for Emission Unit 02): The maximum continuous rating should be increased to 5600 mmBTU/hr.

Response to (Maximum continuous rating for Emission Unit 02):As stated in the Division for Air Quality letter dated February 3, 1994, this rating cannot be increased until the demonstration of applicability or non-applicability of Regulation 401 KAR 51:017, Prevention of significant deterioration of air quality.

Comment (Emissions Unit 04): It is assumed that each stack refers to baghouse since there are no stacks present. Visual emissions should be observed only without the use of Reference Method 9.

Response to (Emissions Unit 04): Regulation 60:250 requires visual emissions to be observed only by Reference Method 9.